

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROBERT J. WALSH,

Plaintiff

Case No. 2:20-cv-01714-GMN-NJK

ORDER

v.

BRIAN WILLIAMS et al.,

Defendants

Pending before the Court is the Report and Recommendation, (ECF No. 16), of United States Magistrate Judge Nancy J. Koppe, which states that Plaintiff's application to proceed *in forma pauperis* (ECF No. 4) be denied and that Plaintiff be required to pay the full \$400 filing fee if he wishes to proceed with this case.

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a *de novo* determination of those portions to which objections are made. *Id.* The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. R. IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct "any review at all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge's report and recommendation where no objections have been filed. *See, e.g., United States v. Reyna-Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003).

Here, no objections were filed, and the deadline to do so has passed. (See Min. Order, ECF No. 16) (setting a February 25, 2022, deadline for objections).

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation, (ECF No. 16), is **ADOPTED** in full.

1 **IT IS FURTHER ORDERED** that the application to proceed *in forma pauperis* (ECF
2 No. 4) is denied.

3 **IT IS FURTHER ORDERED** that Plaintiff will pay the full filing fee of \$400 to the
4 Clerk of the Court on or before Friday, March 25, 2022, in order to proceed with this case.
5 Alternatively, if Plaintiff's financial status has changed, Plaintiff must demonstrate his
6 indigent status by submitting a new application to proceed *in forma pauperis* with an
7 inmate account statement for the past six months and a properly executed financial
8 certificate to this Court on or before March 25, 2022.

9 **IT IS FURTHER ORDERED** that, if Plaintiff fails to timely comply with this order,
10 the Court will dismiss this case without prejudice.

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12 DATED THIS 28 day of February 2022.

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16 Gloria M. Navarro, Judge
17 United States District Court
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